



**TIFFANY & BOSCO**  
P.A.

**2525 EAST CAMELBACK ROAD  
SUITE 300**

**PHOENIX, ARIZONA 85016**

**TELEPHONE: (602) 255-6000**

**FACSIMILE: (602) 255-0192**

**Dated: September 01, 2010**

A handwritten signature in black ink, appearing to read "George B. Nielsen, Jr.", is written over a horizontal line.

**GEORGE B. NIELSEN, JR  
U.S. Bankruptcy Judge**

Mark S. Bosco  
State Bar No. 010167  
Leonard J. McDonald  
State Bar No. 014228  
Attorneys for Movant

10-19495

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF ARIZONA**

IN RE:

James Andrew Kimes  
Debtor.

CitiMortgage, Inc.  
Movant,

vs.

James Andrew Kimes, Debtor, Maureen Gaughan,  
Trustee.

Respondents.

No. 2:10-BK-14252-GBN

Chapter 7

ORDER

(Related to Docket #20)

Movant's Motion for Relief from the Automatic Stay and Notice along with the form of proposed Order Lifting Stay, having been duly served upon Respondents, Respondents' counsel and Trustee, if any, and no objection having been received, and good cause appearing therefore,

IT IS HEREBY ORDERED that all stays and injunctions, including the automatic stays imposed

1 by U.S. Bankruptcy Code 362(a) are hereby vacated as to Movant with respect to that certain real  
2 property which is the subject of a Deed of Trust dated November 7, 2006 and recorded in the office of the  
3 Maricopa County Recorder wherein CitiMortgage, Inc. is the current beneficiary and James Andrew  
4 Kimes has an interest in, further described as:

5 LOT 142, OF VISTAS AT DESERT HARBOR UNIT II, ACCORDING TO THE PLAT OF  
6 RECORD IN THE OFFICE OF THE COUNTY RECORDER OF MARICOPA COUNTY,  
7 ARIZONA, RECORDED IN BOOK 373 OF MAPS, PAGE 26 AND AFFIDAVIT OF  
8 CHANGE RECORDED IN 95-415223, OF OFFICIAL RECORDS.

9 IT IS FURTHER ORDERED that Movant may contact the Debtor by telephone or written  
10 correspondence regarding a potential Forbearance Agreement, Loan Modification, Refinance  
11 Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into such agreement  
12 with Debtor. However, Movant may not enforce, or threaten to enforce, any personal liability against  
13 Debtor if Debtor's personal liability is discharged in this bankruptcy case.

14 IT IS FURTHER ORDERED that this Order shall remain in effect in any bankruptcy chapter  
15 to which the Debtor may convert.  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26